

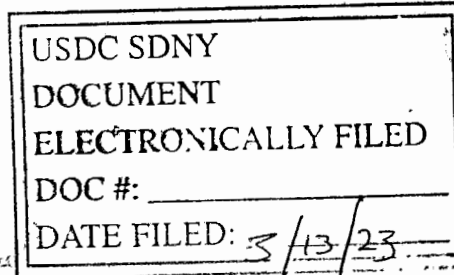
**DOAR RIECK KALEY & MACK**

ATTORNEYS AT LAW

JOHN DOAR (1921-2014)  
WALTER MACK

OF COUNSEL

JOHN JACOB RIECK, JR.  
JOHN F. KALEY  
MICHAEL MINNEFOR



ASTOR BUILDING  
7TH FLOOR  
217 BROADWAY  
NEW YORK, N.Y. 10007-2911

TELEPHONE: (212) 619-3730  
FACSIMILE: (212) 962-5037  
e-mail: firm@doarlaw.com  
website: www.doarlaw.com

MEMO ENDORSED

March 13, 2023

3/13/23

**By ECF Filing**

Hon. Colleen McMahon  
United States District Court  
for the Southern District of New York  
500 Pearl Street  
New York, NY 10007

Sentencing Adj. to May 3, 2023  
At 2:30 p.m. - the proposed  
schedule for sentencing  
submission is fine.

Re: United States v. Arthur Gipson  
Docket No. 20 Cr. 521 (SDNY)

Colleen McMahon

Dear Judge McMahon:

I represent the defendant Arthur Gipson in the above-referenced matter. I write now to request that sentencing of Mr. Gipson, presently scheduled for April 12, 2023, be adjourned to either the week of May 1<sup>st</sup> or the week of May 8<sup>th</sup>, if that would be convenient for the court. The defense is available at any time during that 2-week interval except for May 10<sup>th</sup>. The Government generally is available but not for May 1<sup>st</sup> at 3:00 pm, May 2<sup>nd</sup> at 4:00 pm and May 9<sup>th</sup> at 4:00 pm.

The reasons for this request are as follows:

Additional time is needed to discuss further certain issues with the Government in an effort to determine if a *Fatico* hearing will be necessary. The Government and defense counsel have conferred and we think we have narrowed certain issues. That process is ongoing. Additional time also is needed to prepare a thorough sentencing submission and to prepare Mr. Gipson for sentencing.

I have communicated with AUSA Frank Balsamello regarding the requested adjournment and am authorized to represent that the Government has no objection.

Honorable Colleen McMahon

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March 13, 2023

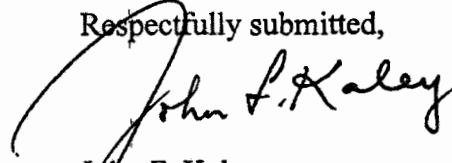
Accordingly, I propose the following schedule for the Court's consideration:

- 1) Probation to disclose the Final PSR 3 weeks before sentencing (in this way the defense would have the final PSR before filing the defense sentencing submission);
- 2) the defense sentencing submission to be due 2 weeks before sentencing; and
- 3) the Government's sentencing submission to be due 1 week before sentencing.

I also request that the time to file defense's objections to the Initial PSR Disclosure likewise be extended.

Thank you for the Your Honor's consideration of this request.

Respectfully submitted,



John F. Kaley

cc: AUSA Frank Balsamello  
Pretrial Services Officer Ashley E. Geiser  
(via ECF filing and email)